

Filing at a Glance

Companies: American Automobile Insurance Company, Associated Indemnity Corporation, Fireman's Fund Insurance Company, National Surety Corporation, The American Insurance Company

Product Name: Inland Marine Form Filing SERFF Tr Num: FFDC-125241312 State: Arkansas

Builder's Risk Green Form

TOI: 09.0 Inland Marine

SERFF Status: Closed

State Tr Num: AR-PC-07-025575

Sub-TOI: 09.0005 Other Commercial Inland Marine

Co Tr Num: NARCM0507

State Status:

Filing Type: Form

Co Status: Pending

Reviewer(s): Betty Montesi,
Llyweyia Rawlins, Brittany Yielding

Authors: Michelle Davanzo, Gina
Bondanza

Disposition Date: 07-30-2007

Date Submitted: 07-25-2007

Disposition Status: Approved

Effective Date Requested (New): 09-01-2007

Effective Date (New): 09-01-2007

Effective Date Requested (Renewal): 09-01-2007

Effective Date (Renewal): 09-01-
2007

General Information

Project Name: Inland Marine Form Filing Builder's Risk Green Form

Status of Filing in Domicile: Pending

Project Number: NWCM0507

Domicile Status Comments:

Reference Organization:

Reference Number:

Reference Title:

Advisory Org. Circular:

Filing Status Changed: 07-30-2007

State Status Changed: 07-26-2007

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

Dear Sir or Madam:

Enclosed for your review and approval is a new uncontrolled Inland Marine endorsement that enhances the insurance protection provided under the previously approved uncontrolled Inland Marine Builders Risk program, specifically in the Delay of Occupancy or Use area.

Delay of Occupancy or Use Endorsement Green Amendment 145475

We have also enclosed the Explanatory Memorandum which explains the use and purpose of our endorsement.

Your approval/acknowledgement of this filing, which has a proposed effective date of September 1, 2007, would be appreciated.

Company and Contact

Filing Contact Information

Michelle Davanzo, Regulatory Services Senior mdavanzo@ffic.com

Analyst

777 San Marin Drive (415) 899-2660 [Phone]

Novato, CA 94998 (866) 290-0671[FAX]

Filing Company Information

American Automobile Insurance Company

CoCode: 21849

State of Domicile: Missouri

777 San Marin Drive

Group Code: 761

Company Type:

Novato, CA 94998

Group Name:

State ID Number:

(415) 899-2817 ext. [Phone]

FEIN Number: 22-1608585

Associated Indemnity Corporation

CoCode: 21865

State of Domicile: California

777 San Marin Drive

Group Code: 761

Company Type:

Novato, CA 94998

Group Name:

State ID Number:

(415) 899-2817 ext. [Phone]

FEIN Number: 22-1708002

Fireman's Fund Insurance Company

CoCode: 21873

State of Domicile: California

777 San Marin Drive

Group Code: 761

Company Type:

Novato, CA 94998

Group Name:

State ID Number:

(415) 899-3290 ext. [Phone]

FEIN Number: 94-1610280

National Surety Corporation

CoCode: 21881

State of Domicile: Illinois

777 San Marin Drive

Group Code: 761

Company Type:

Novato, CA 94998

Group Name:

State ID Number:

(415) 899-2817 ext. [Phone]

FEIN Number: 36-2704643

The American Insurance Company

CoCode: 21857

State of Domicile: Nebraska

777 San Marin Drive

Group Code: 761

Company Type:

Novato, CA 94998

Group Name:

State ID Number:

(415) 899-2817 ext. [Phone]

FEIN Number: 22-0731810

Filing Fees

Fee Required? Yes

Fee Amount: \$50.00

Retaliatory? No

Fee Explanation:

Per Company: No

CHECK NUMBER	CHECK AMOUNT	CHECK DATE
2058877	\$50.00	07-23-2007

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Llyweyia Rawlins	07-30-2007	07-30-2007

Disposition

Disposition Date: 07-30-2007

Effective Date (New): 09-01-2007

Effective Date (Renewal): 09-01-2007

Status: Approved

Comment:

Rate data does NOT apply to filing.

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	NAIC Form Filing Transmittal	Approved	Yes
Form	Delay of Occupancy or Use Endorsement - Green Amendment	Approved	Yes

Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Delay of Occupancy or Use Endorsement - Green Amendment	145475	06 07	Endorsement New nt/Amendment/Conditions		0.00	New Construction - Delay of Occupancy or Use - Green Amendment 145475 new final.pdf

Delay of Occupancy or Use Endorsement - Green Amendment - 145475 06 07
Policy Amendment Commercial Inland Marine

Insured

Policy Number

Producer

Effective Date

Section C. Words and Phrases With Special Meaning of Delay of Occupancy or Use Endorsement 140366 is deleted and replaced by the following:

C. Words And Phrases With Special Meaning

Soft Costs is deleted and replaced with the following:

Soft Costs means additional expenses over and above the projected cost of the covered construction project which occur because of a covered loss which delays the project. These costs are limited to just these things:

1. Additional interest **expense** on money you borrow to finance construction or repair, but not to exceed the aggregate amount shown in the Declarations **for this coverage**;
2. Additional realty taxes and other assessments which you incur for the period of time that construction has been extended beyond the projected completion date **that existed before the loss occurred**.
3. Additional advertising and promotional expenses which become necessary as a result of a covered loss;
4. Additional reasonable and necessary legal, accounting, architectural, artisan or archival consultation expenses which you incur because of a covered loss;
5. Additional costs, such as commissions, which result from renegotiation of leases and other similar extra expenses incurred following an interruption to the project;

This Form must be attached to Change Endorsement when issued after the policy is written.
One of the **Fireman's Fund Insurance Companies** as named in the policy.



Secretary



President

6. Additional reasonable Building Commissioning Expense, not to exceed \$25,000., which becomes necessary as a result of a covered loss. **Building Commissioning** means the systematic process of ensuring that a building's complex array of systems is designed, installed, and tested to perform according to the design intent and the building owner's operational needs. Commissioning applies to newly installed or repaired systems.
7. Additional reasonable expense, not to exceed \$25,000., which becomes necessary as a result of a covered loss to restore Indoor Air Quality to standards you have established in Indoor Air Quality Management Plan in a manner consistent with the procedures specified by the LEED NC^R Green Building Rating System of the United States Green Building Council. This includes the additional reasonable and necessary expense to flush out the reconstructed space with 100% outside air and new filtration media following reconstruction in a manner consistent with the procedures specified by the LEED EB^R Green Building Rating System of the United States Green Building Council.
8. Additional reasonable expense, not to exceed \$25,000., which becomes necessary because of a covered loss for the increased costs you incur to divert debris caused by or resulting from a covered loss from your covered building to recycling facilities rather than landfills, if such debris can be recycled. Any income or remuneration derived from this recycling shall be used to reduce the total loss.
9. Additional reasonable registration or certification fees, not to exceed \$25,000., made necessary by a covered loss to re-register or re-certify your building with The United States Green Building Council or Green Buildings Initiative.

Rental Value is deleted and replaced with the following:

Rental Value means the actual loss of net rental income from signed leases which result from the projects delay, including the delay for the period of time that construction has been extended beyond the projected completion date that existed before the loss occurred, to comply with the extra procedures and process necessary to meet the level of The United States Green Building Council or Green Building Initiative certification incorporated into the building design prior to the loss.

Loss of Earnings is deleted and replaced with the following:

Loss of Earnings means the actual loss of net earnings which result from the project's delay. If your building design includes **Alternative Power Generating Equipment** or **Alternative Water Systems** and these systems are completed and become operational prior to a covered loss, then suffer direct physical loss or damage due to a covered cause of loss, then **Loss of Earnings** also means:

1. The extra expense you incur to purchase replacement power or water from a public utility until such time as the **Alternative Power Generating Equipment or Alternative Water System** is repaired or replaced and is fully operational to manufacturer's specifications; or
2. The loss of income you incur if your **Alternative Power Generating Equipment** feeds surplus power into a public utility power grid and that public utility credits, reimburses or provides rebates to you for that power, until such time as the **Alternative Power Generating Equipment** is repaired or replaced and is fully operational.

Alternative Power Generating Equipment means the following equipment that uses renewable resources to generate electricity:

1. Solar energy systems,
2. Wind energy systems,
3. Geothermal energy systems,
4. Low impact hydro systems,
5. Bio-mass systems, or
6. Bio-gas systems.

Alternative Water Systems means plumbing systems, below ground pipes and pumps, cisterns and holding tanks, whether situated above or below ground, and which is situated within 1000 feet of the described building that circulate gray water, ground water or rain water to the building's domestic, non-potable, water supply or to on site water treatment facilities or to a holding facility for outside irrigation including structures to collect rainwater and/or groundwater for these purposes, but does not include underground pipes or sprinkler heads intended solely for purposes of landscape irrigation that are not part of your **Alternative Water Systems** installation.

This endorsement is otherwise subject to all the terms, conditions, provisions, and stipulations of the policy to which it is attached.

Rate Information

Rate data does NOT apply to filing.

Supporting Document Schedules

		Review Status:	
Satisfied -Name:	Uniform Transmittal Document-Property & Casualty	Approved	07-30-2007
Comments:			
Attachment:			
NAIC Transmittal.pdf			
		Review Status:	
Satisfied -Name:	NAIC Form Filing Transmittal	Approved	07-30-2007
Comments:			
Attachment:			
Form Filing Transmittal.pdf			

Property & Casualty Transmittal Document (Revised 1/1/06)**1. Reserved for Insurance
Dept. Use Only****2. Insurance Department Use only**

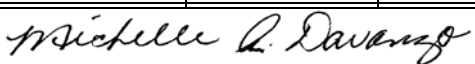
a. Date the filing is received:	
b. Analyst:	
c. Disposition:	
d. Date of disposition of the filing:	
e. Effective date of filing:	
New Business	
Renewal Business	
f. State Filing #:	
g. SERFF Filing #:	
h. Subject Codes	

3. Group Name	Group NAIC #
Fireman's Fund Insurance Companies	0761

4. Company Name(s)	Domicile	NAIC #	FEIN #
Fireman's Fund Insurance Company	CA	21873	94-1610280
National Surety Corporation	IL	21881	36-2704643
The American Insurance Company	NE	21857	22-0731810
Associated Indemnity Corporation	CA	21865	22-1708002
American Automobile Insurance Compnay	MO	21849	22-1608585

5. Company Tracking Number	NARCM0507
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Contact Info of Filer(s) or Corporate Officer(s) [include toll-free number]

6. Name and address	Title	Telephone #s	Fax #	e-mail
Michelle A. Davanzo	Regulatory Analyst	(415) 899-2660	866-290-0671	mdavanzo@ffic.com
7. Signature of authorized filer				
8. Please print name of authorized filer		Michelle A. Davanzo		

Filing information (see General Instructions for descriptions of these fields)

9. Type of Insurance (TOI)	Commercial Inland Marine (09.0)		
10. Sub-Type of Insurance (Sub-TOI)	Commercial Inland Marine (09.0005)		
11. State Specific Product code(s)(if applicable)[See State Specific Requirements]			
12. Company Program Title (Marketing title)	Historic Property – Green Forms		
13. Filing Type	<input type="checkbox"/> Rate/Loss Cost <input type="checkbox"/> Rules <input type="checkbox"/> Rates/Rules <input checked="" type="checkbox"/> Forms <input type="checkbox"/> Combination Rates/Rules/Forms <input type="checkbox"/> Withdrawal <input type="checkbox"/> Other		
14. Effective Date(s) Requested	New: 09-01-07	Renewal:	09-01-07
15. Reference Filing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
16. Reference Organization (if applicable)			
17. Reference Organization # & Title			
18. Company's Date of Filing	07-20-07		
19. Status of filing in domicile	<input type="checkbox"/> Not Filed <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Authorized <input type="checkbox"/> Disapproved		

Property & Casualty Transmittal Document---

20.	This filing transmittal is part of Company Tracking #	NARCM0507
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21.	Filing Description [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]
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Enclosed for your review and approval is a new “uncontrolled” Inland Marine endorsement that enhances the insurance protection provided under the previously approved “uncontrolled” Inland Marine Builders Risk program, specifically in the Delay of Occupancy or Use area.

Delay of Occupancy or Use Endorsement – Green Amendment 145475 06 07

We have also enclosed the Explanatory Memorandum which explains the use and purpose of our endorsement.

22.	Filing Fees (Filer must provide check # and fee amount if applicable) [If a state requires you to show how you calculated your filing fees, place that calculation below]
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Check #:
Amount:

Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.

*****Refer to each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)**

Effective January 1, 2006

FORM FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes forms)
(Do not refer to the body of the filing for the forms listing, unless allowed by state.)

1.	This filing transmittal is part of Company Tracking #	NARCM0507			
2.	This filing corresponds to rate/rule filing number (Company tracking number of rate/rule filing, if applicable)				
3.	Form Name /Description/Synopsis	Form # Include edition date	Replacement Or withdrawn?	If replacement, give form # it replaces	Previous state filing number, if required by state
01	Delay of Occupancy or Use Endorsement – Green Amendment	1454475 06 07	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
02			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
03			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
04			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
05			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
06			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
07			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
08			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
09			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
10			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		